



General Assembly

Distr.: General
7 February 2008Sixty-second session
Agenda item 63 (a)

Resolution adopted by the General Assembly

*[on the report of the Third Committee (A/62/433 (Part II))]***62/134. Eliminating rape and other forms of sexual violence in all their manifestations, including in conflict and related situations***The General Assembly,*

Reaffirming the obligation of all States to promote and protect human rights and fundamental freedoms in accordance with the Charter of the United Nations, and guided by the purposes and principles of the Charter,

Reaffirming also that discrimination on the basis of sex is contrary to the Convention on the Elimination of All Forms of Discrimination against Women¹ and other international human rights instruments and that its elimination is an integral part of efforts towards the elimination of all forms of violence against women,

Reaffirming further the obligations of States parties to the Convention on the Rights of the Child,² the Geneva Conventions of 1949³ and the Additional Protocols thereto, of 1977⁴ and the International Convention on the Elimination of All Forms of Racial Discrimination,⁵

Reaffirming the goals, objectives and commitments of the Beijing Declaration and Platform for Action⁶ and those contained in the outcome documents of the twenty-third special session of the General Assembly entitled "Women 2000: gender equality, development and peace for the twenty-first century"⁷ with respect to sexual violence and to women in armed conflict,

Recalling all previous General Assembly resolutions on violence against women and violence against children, including resolution 61/143 of 19 December 2006 on intensification of efforts to eliminate all forms of violence against women,

¹ United Nations, *Treaty Series*, vol. 1249, No. 20378.

² *Ibid.*, vol. 1577, No. 27531.

³ *Ibid.*, vol. 75, Nos. 970–973.

⁴ *Ibid.*, vol. 1125, Nos. 17512 and 17513.

⁵ *Ibid.*, vol. 660, No. 9464.

⁶ *Report of the Fourth World Conference on Women, Beijing, 4–15 September 1995* (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution I, annexes I and II.

⁷ Resolution S-23/2, annex, and resolution S-23/3, annex.

and its other relevant resolutions, as well as Security Council resolutions 1325 (2000) of 31 October 2000 on women and peace and security, 1612 (2005) of 26 July 2005 on children affected by armed conflict and 1674 (2006) of 28 April 2006 on the protection of civilians in armed conflict, the resolutions of the Economic and Social Council on women and on the girl child, Commission on Human Rights resolution 2005/41 of 19 April 2005 on the elimination of violence against women⁸ and resolution 2001/20 of 16 August 2001 of the Subcommission on the Promotion and Protection of Human Rights on systematic rape, sexual slavery and slavery-like practices,⁹

Recalling also the inclusion of rape and other forms of gender-related crimes and crimes of sexual violence in the Rome Statute of the International Criminal Court,¹⁰

Recalling further the recognition by the ad hoc international criminal tribunals that rape can constitute a war crime, a crime against humanity, or a constitutive act with respect to genocide,

Welcoming the United Nations inter-agency initiative "Stop Rape Now: United Nations Action against Sexual Violence in Conflict",

Recognizing that violence against women is an offence against the dignity and integrity of the victim, which often inflicts serious physical and psychological harm, and that all forms of violence against women seriously violate and impair or nullify the enjoyment by women of all human rights and fundamental freedoms and constitute a major impediment to the ability of women to make use of their capabilities,

Recognizing also that violence against women is rooted in historically unequal power relations between men and women,

Recognizing further that violence against women impedes the social and economic development of communities and States, as well as the achievement of the internationally agreed development goals, including the Millennium Development Goals,

Expressing concern that civilians, particularly women and children, account for the vast majority of those adversely affected by armed conflict, including as refugees and internally displaced persons, and increasingly are targeted by combatants and armed elements, and recognizing the consequent impact this has on durable peace and reconciliation,

Recognizing that States bear primary responsibility to respect and ensure the human rights of their citizens, as well as all individuals within their territory as provided for by relevant international law,

Stressing that States have the obligation to promote and protect all human rights and fundamental freedoms of women and girls, and must exercise due diligence to prevent, investigate and punish the perpetrators of violence against women and girls, and to provide protection to the victims, and that failure to do so violates and impairs or nullifies the enjoyment of the human rights and fundamental freedoms of the victims,

⁸ See *Official Records of the Economic and Social Council, 2005, Supplement No. 3 and corrigenda* (E/2005/23 and Corr.1 and 2), chap. II, sect. A.

⁹ See E/CN.4/2002/2-E/CN.4/Sub.2/2001/40, chap. II, sect. A.

¹⁰ United Nations, *Treaty Series*, vol. 2187, No. 38544.

Strongly condemning all acts of violence against women and girls, whether these acts are perpetrated by the State, by private persons or by non-State actors, calling for the elimination of all forms of gender-based violence in the family, within the general community, and where perpetrated or condoned by the State, and stressing the need to treat all forms of violence against women and girls as a criminal offence, punishable by law,

Stressing that rape or other forms of sexual violence must not be used or condoned in any circumstance by any individual, State or non-State actor,

Recognizing that rape or any other form of sexual violence is unlawful in all circumstances and in all places, regardless of the sex or age of the victim, including in detention and in jails, whether or not committed by State or non-State actors in the course of achieving political or military objectives, whether or not in the course of an international or non-international armed conflict, or in areas under foreign occupation,

Deeply concerned at rape and other forms of sexual violence in all their manifestations, which are typically committed against women and girls, and which often target victims associated with communities, ethnic groups or other groups regarded as antagonistic to or insufficiently supportive of the group or entity whose forces commit the crime, and are frequently calculated to humiliate, dominate, instil fear in, disperse and/or forcibly relocate members of such groups, including, but not limited to, the victims and their families,

Affirming the need for States to ensure that perpetrators of rape or other forms of sexual violence committed on their territory do not operate with impunity and that the perpetrators of such acts are brought to justice as provided for by national law and obligations under international law, and also affirming the need to penalize persons in authority found guilty of sexually assaulting victims,

Also affirming the need to provide all necessary assistance to victims, including children born as a result of rape,

Determined to eliminate rape and other forms of sexual violence in all their manifestations, including in conflict and related situations,

1. *Urges* States:

(a) To take special measures to protect women and girls from gender-based violence, in particular rape and other forms of sexual violence;

(b) To end impunity by ensuring that all rape victims, particularly women and girls, have equal protection under the law and equal access to justice and by investigating, prosecuting and punishing any person responsible for rape and other forms of sexual violence, whether or not committed by State or non-State actors in the course of achieving political or military objectives, wherever they occur, whether or not in the course of an international or non-international armed conflict, including in detention and in jails, and regardless of the sex or age of the victim;

(c) To provide victims with access to appropriate health care, including sexual and reproductive health care, psychological care and trauma counselling, as well as to rehabilitation, social reintegration and, as appropriate, effective and sufficient compensation, in accordance with relevant international and national law;

(d) To develop and implement at all levels, as required, a comprehensive and integrated strategy of prevention and prosecution of rape, and monitor the implementation of such a strategy, which should include the training of, inter alia,

all relevant government and military personnel, in particular military commanders, law enforcement officials, judicial system personnel, health workers, teachers and social workers, as well as community leaders and the news media, in all appropriate aspects of the prevention and prosecution of rape and other forms of sexual violence and of protection and support for victims of such violence;

(e) To promote human rights education, including on all aspects of rape and other forms of sexual violence, ensuring factual accounts of such violence, in an effort to encourage better understanding among all peoples, with a view to the prevention and elimination of rape and other forms of sexual violence;

(f) To increase significantly their voluntary financial support for activities related to preventing and eliminating all forms of violence against women, the empowerment of women and gender equality carried out by the specialized agencies and the United Nations funds and programmes, including the United Nations Trust Fund in Support of Actions to Eliminate Violence against Women;

(g) To consider ratifying or acceding to all human rights treaties, including, as a matter of priority, the Convention on the Elimination of All Forms of Discrimination against Women¹¹ and the Optional Protocol thereto;¹¹

2. *Calls upon States and the United Nations system:*

(a) To support all efforts to address rape, including through the regular collection, analysis and dissemination of data, to facilitate such efforts and, in particular, to work towards overcoming the difficulties and challenges of capacity-building and collecting information on the practice;

(b) To integrate to the maximum extent possible the needs of all victims of sexual violence into United Nations humanitarian assistance programmes;

(c) To assign adequate resources within the United Nations system to those bodies, specialized agencies, funds and programmes responsible for the promotion of gender equality and women's rights and to efforts throughout the United Nations system to eliminate violence against women and girls and design programmes to provide assistance to victims, including children born as a result;

3. *Urges States, in cooperation with the private sector, non-governmental organizations and other civil society actors, as appropriate:*

(a) To conduct public education and awareness campaigns at the national and grass-roots levels in order to raise awareness about the causes and consequences of rape and other forms of sexual violence;

(b) To establish reception centres and shelters for victims, take other appropriate measures to promote and protect women's rights, and provide protection, safe shelter, medical assistance, including sexual and reproductive health care, all necessary medications, including antiretroviral drugs and antibiotics, counselling for victims and their families, comprehensive information and education, legal aid, rehabilitation, and reintegration of victims and their offspring into society, in cooperation with State efforts towards protecting and supporting victims, in particular appropriate compensation that is effective and sufficient, maintaining due confidentiality and privacy of the victims and their families;

¹¹ Ibid., vol. 2131, No. 20378.

(c) To support programmes to eliminate rape and other forms of sexual violence in all their manifestations, and design programmes to provide assistance to all victims of rape;

(d) To address the long-term consequences faced by victims of rape and other forms of sexual violence, including legal discrimination and social stigmatization, as well as the effects on children born as a result of rape;

4. *Invites* non-governmental organizations and other civil society actors:

(a) To advocate at the local, national, regional and international levels against rape and other forms of sexual violence, inter alia, by building and strengthening networks among those who may be in a position to provide information on their occurrence, and to call attention to their adverse consequences;

(b) To increase coordination and cooperation in addressing this problem and continue to present their observations and conclusions to Governments;

5. *Requests* the Secretary-General to report to the General Assembly at its sixty-third session on the implementation of the present resolution on rape and other forms of sexual violence in all their manifestations, including when they target victims associated with communities, ethnic groups or other groups regarded as antagonistic to or insufficiently supportive of the group or entity whose forces commit the crime, and are calculated to humiliate, instil fear in, disperse and/or forcibly relocate members of such groups, including, but not limited to, the victims and their families.

76th plenary meeting
18 December 2007